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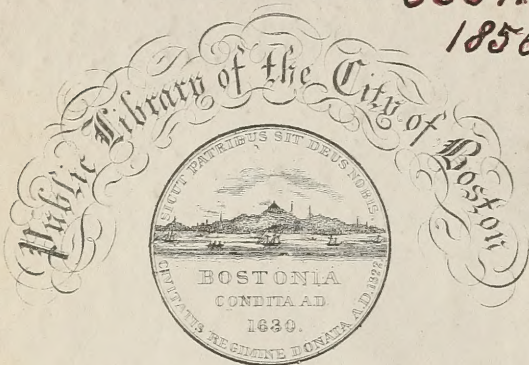
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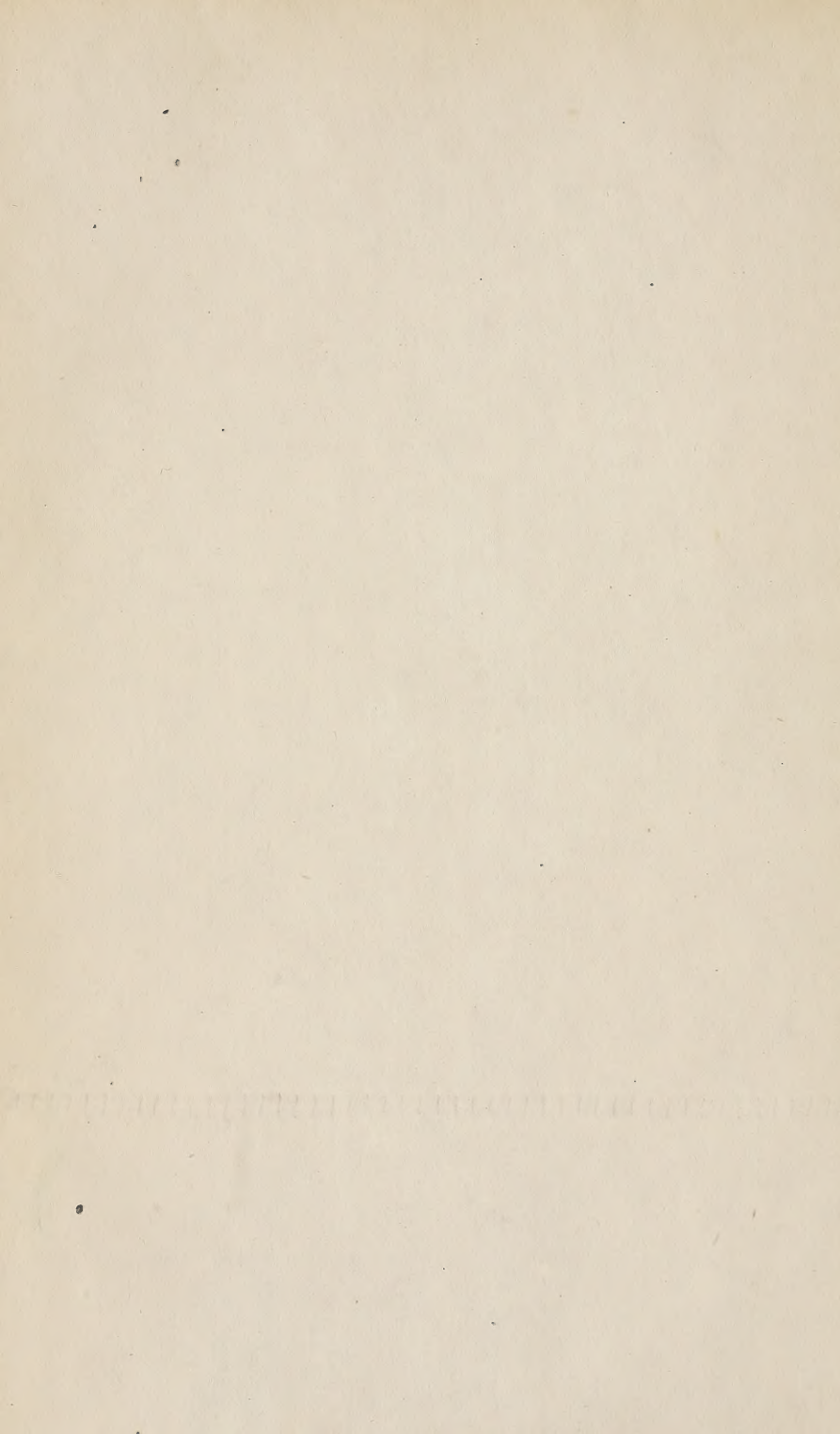
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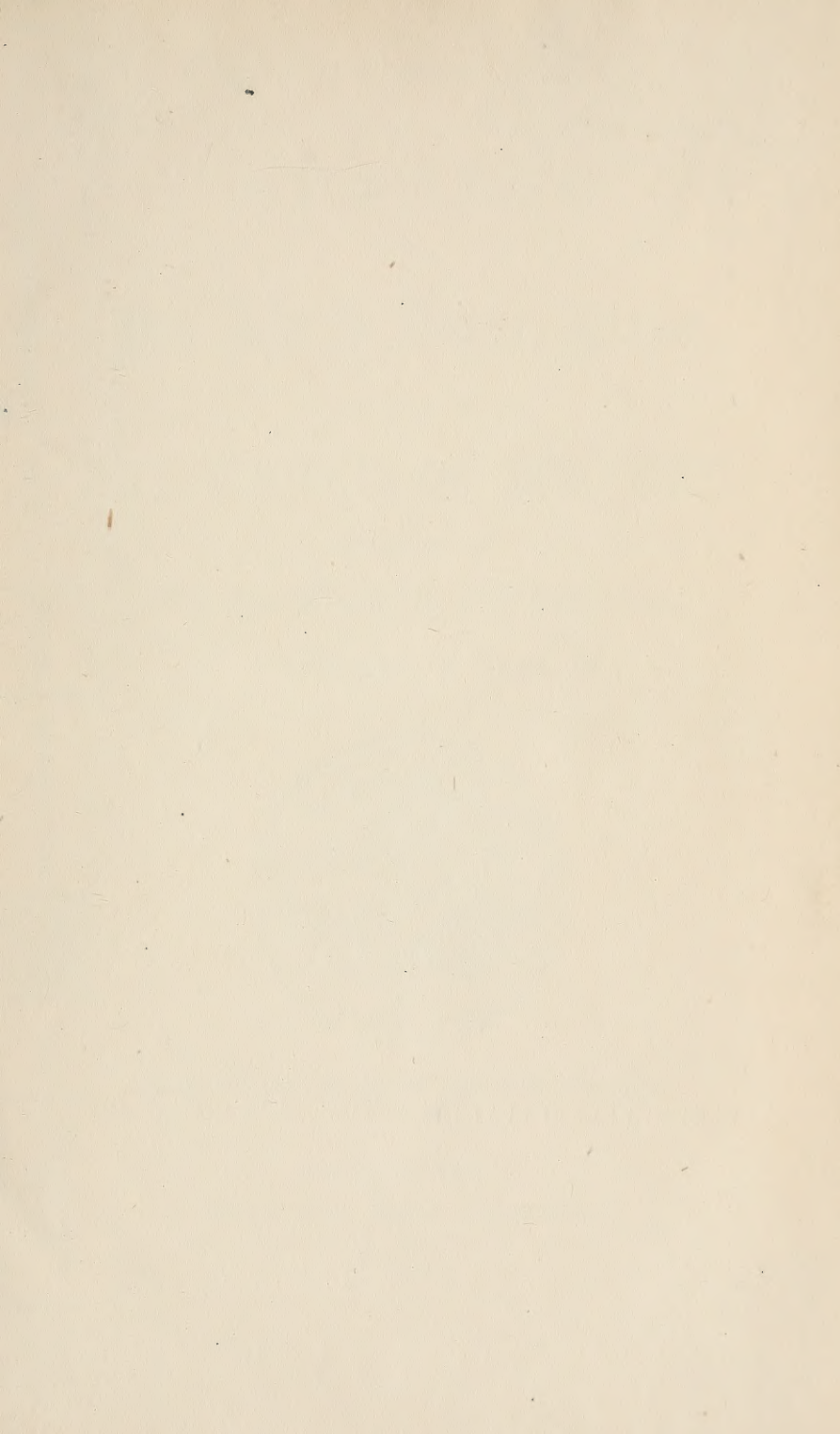
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R E P O R T

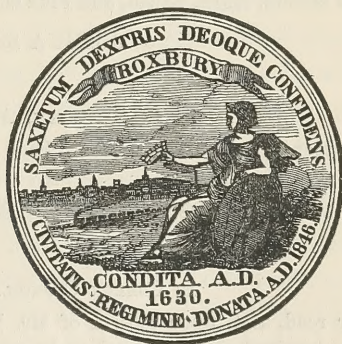
OF THE

JOINT SPECIAL COMMITTEE

IN THE MATTER OF THE

Roxbury Color and Chemical Company.

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ROXBURY:

NORFOLK COUNTY JOURNAL PRESS.

1856.

## CITY OF ROXBURY.

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IN BOARD OF ALDERMEN, March 24, 1856.

Petition of SAMUEL M. PHILLIPS and 52 others, praying that the nuisance caused by the "Roxbury Color and Chemical Company," may be abated.

And also the petition of CHARLES ELLIS and 50 others, for the same object.

Read and referred to the MAYOR and Alderman WARD.

Sent down for concurrence.

JOSEPH W. TUCKER, *City Clerk.*

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IN COMMON COUNCIL, March 24, 1856.

Concurred. And Messrs. NUTE, LEWIS, and PIKE added.

JOSHUA SEAVER, *Clerk.*

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IN BOARD OF ALDERMEN, April 28, 1856.

Report read and accepted, and Order passed. Sent down for concurrence.

JOSEPH W. TUCKER, *City Clerk.*

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IN COMMON COUNCIL, May 5, 1856.

Report and Order read, and, upon motion of Mr. NICHOLS, laid on the table, and twelve hundred copies ordered to be printed and distributed to the citizens of Roxbury.

JOSHUA SEAVER, *Clerk.*



## CITY OF ROXBURY.

IN BOARD OF ALDERMEN, April 28, 1856.

The Special Joint Committee, to whom were referred the petitions of Charles Ellis and others, and Samuel M. Phillips and others, have attended to the duty assigned them, and respectfully ask leave to submit the following

### R E P O R T :

THE petitions referred to the Committee bear the names of a large number of tax-paying citizens of Roxbury, who complain of the character of the manufactures carried on by the Roxbury Color and Chemical Manufactory, and pray that the City Government would take measures for its removal. Petitions coming from such a numerous and respectable body of citizens, and bearing on their front, as it were, the stamp of public opinion, and asking the aid of the municipal authorities to remove from the heart of the city a long-established Corporation, which has embarked a large capital in a certain branch of manufactures, are entitled to the serious and deliberate consideration of the City Government,—and the Committee have engaged in their work of investigating the facts, with a strong desire to elicit the truth, and, so far as may be connected with their limited sphere of duty, do justice to all parties.

The Committee have held a number of meetings, and have listened to the evidence voluntarily produced by the petitioners on the one side, and the Directors of the Company on the other. They have visited the works, and

every facility has been allowed them to examine into the character of the manufactures; and their enquiries have been readily replied to by the persons in charge of the establishment.

It appears that the Roxbury Color and Chemical Company was incorporated in 1826, with a capital of \$50,000, and soon after established in its present location, which was then mostly surrounded by land in an uncultivated state. The quantity of land now belonging to the Company is between three and four acres, and the value of the whole property is estimated at about \$80,000. The principal chemical manufactures carried on, appear to have consisted of Sulphuric Acid, Muriatic Acid, Nitric Acid, Nitrate of Lead, and Alum. Other chemical preparations have at different times engaged the attention of the Company, as the manufacture of Prussian Blue, and the smelting of Copper; but the effects were so decidedly offensive that they were soon discontinued, and for a number of years it is believed that the manufactures have been confined to the articles first enumerated. The noxious gases which escape from the works, during the process of manufacture, and which become incorporated with the atmosphere, to the injury and inconvenience of the neighborhood, and the depressing effect upon property consequent thereon, seem to be the principal causes of complaint on the part of the petitioners.

A great mass of evidence has been adduced to show that these gases, or exhalations, from the Chemical Works, are of an exceedingly unpleasant character — that they are conveyed by the wind to a great distance, in some cases nearly a mile — that they are offensive to the olfactories — tend to destroy the comfort of persons residing in the neighborhood, and are annoying to strangers who visit that vicinity, — that the effect produced on the physical system is often distressing, causing a severe cough and irritation of the bronchial apparatus, and a stricture of the

chest, especially in persons of delicate constitutions, or otherwise suffering from indisposition,—and that, consequently, the effect is prejudicial not only to the convenience, peace of mind, and comfort of the inhabitants, but also to their health. It likewise appears from the testimony of many witnesses, that the nature of these gases is so generally offensive and disagreeable, as to deter persons from purchasing property, or locating in a neighborhood, which, in other respects, possesses many advantages; and that this manufactory thus acts as a check and a drawback on the value of estates in that vicinity.

It also appears that complaints have, from time to time, been made of the offensive character of the works, and attempts have been made to procure their removal, when the population in the direction of the manufactory was much less than now; but all efforts have failed of success. The evils have increased during the last few years, and the petitioners now again come forward, and ask for the direct action, or the aid and influence of the City Council, towards the removal of an establishment which they regard as a nuisance no longer to be endured.

It is urged that this establishment has continued in its present location for a quarter of a century; that it has given employment to a large number of people, and that a removal will be attended by a great sacrifice of property. While the Committee believe that the true policy of the City Government is not only to protect, so far as may be, the rights of every citizen, but to encourage and cherish manufactures and the mechanic arts, the true sources of prosperity in a business community; yet they conceive it to be a clearly established principle, that when, under any circumstances, the character of a manufacture becomes a decided *nuisance*, the interests of the few should give place to the health and comfort of the many, and that the tide of prosperity should not be checked by the evil, but should bear it away. It is also evident that the fact of having



been so long located in that particular spot, does not give the Company a right to remain there forever. The growth and prosperity of Roxbury have greatly increased since the Chemical Works were established, notwithstanding their objectionable character; and these manufactures, which, in the earliest state of the enterprise, gave offence to comparatively few individuals, have since become offensive to a large population. The location was selected by the Company, doubtless, with regard to future results; and with a full knowledge that the works were exposed to the risk of being removed, whenever the good of the public and the comfort of a large and thriving community required such removal.

It has been urged that the tall chimney, constructed years ago, carries off nearly all the gases, and renders the works comparatively innocuous and inoffensive. The evidence, however, is conclusive that the chimney does not remedy the evil complained of for many years, and which it was hoped and expected would thus be removed. The gases and fumes from the various acids manufactured by the Company, must necessarily escape in large quantities through apertures in the slightly constructed buildings, and through ventilators and wooden chimneys — and those portions of these gases, which are carried off by the chimney, are wafted by the wind to a greater distance than before, and do not readily lose their noxious character on being mingled with the atmospheric air.

By an act passed in 1855, the Board of Health of any city or town, may forbid the exercise of any trade or employment, within its limits, which is a nuisance, or hurtful to the inhabitants or their estates, dangerous to the public health, or the exercise of which is attended by noisome and injurious odors — provided the said act shall be adopted by such city or town. But in a case like the present, where a large capital is invested, and an important amount of property is at stake, and the works have been in operation

for a long period of time — and where, for obvious reasons, the testimony of numerous witnesses on oath can hardly be taken, and a thorough legal and scientific investigation had of all the facts connected with the manufactures carried on by the Company, and the precise effects produced by the gases arising therefrom, the Committee cannot recommend a resort to such summary measures as are authorised by the statute.

But the Committee, believing, from the evidence which has been produced, that the existence of these works is a constant source of inconvenience and discomfort to many of the citizens of Roxbury, and the passers-by — that it is a *nuisance*, hurtful to the inhabitants — detrimental to the public health — is attended by noisome and offensive odors and exhalations — is injurious to the estates in the vicinity — and in certain cases a blight upon vegetation — a drawback on the enjoyment of property — and as such, an obstacle to the prosperity of a large and otherwise valuable portion of the city, — are of opinion that measures should be taken to lay the subject before the proper legal tribunals, with a view to the abatement of said nuisance, and its entire and immediate removal, — and therefore recommend the adoption of an Order, which accompanies this Report.

JOHN S. SLEEPER, *Chairman*.

## City of Roxbury.



IN BOARD OF ALDERMEN, April 28, 1856.

ORDERED, That the Mayor be, and he hereby is instructed, to take such measures as in his opinion may be necessary or proper, to bring the subject matter of the nuisance, created and caused by the "Roxbury Color and Chemical Company," to the attention of the prosecuting officer of this District, with reference to procuring an indictment therefor.

Sent down for concurrence.

JOSEPH W. TUCKER, *City Clerk*.



THE  
MAYOR'S ADDRESS  
TO THE  
Officers of the Fire Department,

JUNE 11, 1856.



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ROXBURY:  
NORFOLK COUNTY JOURNAL PRESS.  
1856.

ENGINEER'S OFFICE, }  
Roxbury, June 21, 1856. }

SIR :

At a meeting of the Board of Engineers, last evening, it was voted, that a copy of your remarks to the Firemen, at City Hall, be requested for printing and distribution among the Department.

I am, Very Respectfully,

Your obedient servant,

SAMUEL F. TRAIN,

*Secretary of the Board of Engineers.*

TO HON. J. S. SLEEPER,

Mayor, Roxbury.

ON Thursday, June 11th, a meeting was held at the CITY HALL—by invitation of the Mayor—of the Engineers of the Fire Department, and the Foremen of the several Companies. The Joint Committee on the Fire Department, and the Joint Committee on Public Property, were also present. The Mayor, after briefly stating to the officers of the Fire Department his object in calling the meeting, proceeded to read some portions of the Ordinance of the City regulating the Fire Department, and then delivered the following

## A D D R E S S :

GENTLEMEN:—I have thought proper to call your attention to those portions of the Ordinance of the City, which prescribes rules for the order and discipline of the Fire Department, and which, being manifestly proper in themselves, and having been deliberately adopted with a view to the welfare of the City, the citizens of Roxbury have a right to expect will be strictly observed.

It is hardly necessary, in the brief remarks which I propose to make, to allude to the importance of *efficiency* in the Fire Department of a City so densely populated as Roxbury, and where wooden buildings abound to a great extent. In order to preserve the efficiency of the Department, it is indispensable that the organization



should be complete, and that harmony, regularity, and good order should prevail in every branch. To effect this, the officers of the Department — those elected by the City Council, and those elected by the members of the different Companies — are expected to use their influence at all times, and their authority whenever it may become necessary, to preserve discipline, and strict obedience to the laws enacted by the City Government, for the proper regulation of the Fire Department.

Gentlemen: The responsibility of the respective offices you hold, is great. You are vested with power, which must at times be exercised without restraint from any other Department of the Government. An important trust is reposed in you, and to your judgment, fidelity and energy in the discharge of your various tasks, the citizens of Roxbury have confided their property, and I had almost said, *the lives* of themselves and their families.

The members of the Fire Department are supposed and believed to be men, able from moral and physical qualifications, and willing, perhaps from a chivalric spirit as well as a sense of duty, to meet the risks and undergo the fatigues ordinarily attendant on their important services. A

certain sum is paid by the City Government to each individual, which is not intended as a compensation for their labors, but as an encouragement to their exertions, and an additional inducement to *men of the right stamp and character* to attach themselves to the several Companies. This pecuniary reward it is expected will be received by the individual members of each Company, and expended for their own particular use; and it is hoped that no person will be received into any Company, who is not willing to perform, *in person*, all the duties required of a fireman; who is irregular in his habits, or expects indulgences which are not in strict accordance with the rules of good order and the laws of the City. Substantial men—men who can be identified and relied on in times of trial—are the men who are wanted, and should be encouraged to join the Department. The duties of a Fireman are of a kind that cannot well be executed by proxy.

While it is desirable that the members of the Fire Department should be granted all the indulgences which are reasonable, and may contribute to their gratification; and while it may be unwise to check a wholesome spirit of emulation among the different Companies, or that feeling of self-respect and pride, which often stimulates to increased ex-

ertion or nobler action, I would caution you, Gentlemen, against encouraging that spirit of rivalry between certain Companies, which is manifested by such trials of skill and contests for superiority, as in other cities and towns has often led to insubordination. Such manifestations of rivalry are obviously improper in themselves ; cannot possibly serve any good purpose ; must injure the property of the City, and create an unhealthy excitement among the Firemen. In other places, they have bred animosity and ill-will between members of rival Companies, and caused serious disturbances of the peace.

You are well aware, Gentlemen, that property belonging to the City, of an amount by no means inconsiderable, is placed in your hands. Over this property you have the chief control ; and it is expected that you will look after it with care ; allow it to be used, or exposed to injury, only when the occasion demands it ; and exercise prudence and economy in its management. Whatever may be necessary for the actual improvement, or for increasing the efficiency of the Fire Department, should be liberally and judiciously expended, while mere ornament, show, or extravagance, without corresponding utility, should be entirely discountenanced.



And I may here remark, that the various Engine Houses are intended for the reception and deposit of the Engines, and the Apparatus attached to them, and also as suitable places for the transaction of business, or meetings for the regulation of the affairs of the respective Companies. It was never intended or expected that they should be used as lounging places for idlers, for convivial meetings, for frolics or carousals, either on a week day or on the Sabbath. Any tendency in that direction must inevitably tend to impair the discipline and demoralize the Department, and should be promptly rebuked and prohibited. Any members who claim or expect indulgences of that kind, should be dismissed forthwith. *They are not the kind of men, who it is desirable should belong to any well-regulated Fire Department.*

In making these remarks, I wish it to be understood that I do not mean to cast any reflections on the Fire Department of Roxbury, or persons now or heretofore connected with it,—for the excellence and skill of the Department are well known and acknowledged. My wish is that it may preserve the character for efficiency which it now enjoys, and, if it is capable of improvement, let it be improved ; and rendered, if possible, more efficient, and more worthy the confidence and re-

spect of all good citizens, than it now is or ever has been.

And, Gentlemen, I trust that you will take the suggestions which I have just thrown out, and which have been dictated by a sense of duty, in good part. We are all servants of the people, and no apology is due for looking closely after the people's interests, or for striving to elevate the character of the City. It is expected that you, *on your part*, will cause the Ordinances of the City relating to the Fire Department to be strictly enforced, and that you will also use your authority to make such other regulations and rules as may seem to you judicious and proper. And you may rest assured that every thing in the power of the members of the City Council, either officially or as individuals, to aid or sustain you in the exercise of your duties, or make your arduous and responsible tasks more agreeable to yourselves or acceptable to the citizens, will be cheerfully done.











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